

REMARKS

In light of the above amendments and remarks to follow, entry of this amendment and reconsideration and allowance of this application are respectfully requested.

Claims 1, 2, 12-14, 24-26, 36-39 are pending in this application. Claims 3-7, 10, 11, 15-19, 22, 23, 27-31, 34, and 35 are withdrawn. Claims 8, 9, 20, 21, 32, and 33 are canceled.

Claims 1, 2, 8, 13, 14, 20, 25, 26, 32, and 37-39 were rejected under 35 U.S.C. §103(a) as being unpatentable "over the applicant's admitted prior art [(hereinafter "AAPA")] in view of Mayer et al. (US 4,296,476)." As previously mentioned, claims 8, 20, and 32 have been canceled.

Independent claim 1, as amended herein, recites in part as follows:

"... when there are a plurality of changes in said information within a prescribed unit of time, generating single modified information at the end of said prescribed unit of time based on said plurality of changes in said information;

... wherein said prescribed unit of time is an integral multiple of the sampling period of said digital audio signals."

It is respectfully submitted that the applied combination of AAPA and Mayer does not teach the above recited features of amended claim 1. That is, in explaining the rejection, the Examiner stated on page 3 of the Office Action that AAPA teaches "that localization processing of a plurality of virtual acoustic images is performed ... each time there is a change in the position or movement information Each time denotes a given time unit. For a given time unit one change in position or movement generates a single information."

It is respectfully submitted that AAPA does not teach "when there are a plurality of changes in said information

within a prescribed unit of time, generating single modified information at the end of said prescribed unit of time based on said plurality of changes in said information." In other words, when a plurality of changes occur in prescribed unit of time T_0 , a single modified information is generated as, for example, shown in Figure 1 of the present application. As shown thereon, changes 2, 3, 4 may be used to create a single modified information which is sent to the audio processor at the end of T_0 . In AAPA (which the Examiner asserts is Figure 7 of the present application) each single change is sent to the audio processor when the change occurs. That is, in Figure 7, a plurality of changes are not used to create a single modified information that is sent to the audio processor. As such, there is a substantial difference between Figure 1 and Figure 7 of the present application.

Further, in the Office Action, the Examiner apparently relied on Figure 7 to show a prescribed unit of time, or more specifically, the time when a change in information occurs is equivalent to a prescribed unit of time. In addition, the Examiner stated that "it is implicit to digital processing that the time unit is an integral multiple of the sampling period of said digital signals." Applicant respectfully disagrees. The word multiple implies that there is more than one. For example, as shown in page 11, lines 17-22, the prescribed unit of time is 1024 times the sampling period. On the other hand, Figure 7 does not appear to show that each time a change occurs is a prescribed unit of time that spans a multiple (e.g., 1024) of a sampling period.

Accordingly, for at least the reasons stated above, amended independent claim 1 is believed to be distinguishable from the applied combination of AAPA and Mayer.

For reasons similar or somewhat similar to those described above with regard to independent claim 1, amended

independent claims 13, 25, and 37-39 are believed to be distinguishable from the applied combination of AAPA and Mayer.

Claims 2, 14, and 26 depend from one of claims 1, 13, and 25, and, due to such dependency, are believed to be distinguishable from the applied combination of AAPA and Mayer for at least the reasons previously described.

Claims 12, 24, and 36 were rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA in view of Mayer in further view of Inanaga et al. (US 5,796,843).

Claims 12, 24, and 36 depend from one of claims 1, 13, and 25, and, due to such dependency, are believed to be distinguishable from the applied combination of AAPA and Mayer for at least the reasons previously described. The Examiner does not appear to have relied on Inanaga to overcome the above-described deficiency of the AAPA and Mayer combination. Accordingly, claims 12, 24, and 36 are believed to be distinguishable from the applied combination of AAPA, Mayer, and Inanaga.

Claims 9, 21, and 33 were rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA in view of Mayer in further view of Harigaya et al. (US 5,583,791). As previously mentioned, claims 9, 21, and 33 have been canceled.

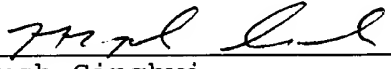
In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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